

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD Council Chambers Thursday, May 22, 2003, 7:30 P.M. 777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Bogue, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Zermeño, McKillop, Sacks, Caveglia, Halliday, Thnay
CHAIRPERSON Bogue
Absent: COMMISSIONER None

Staff Members Present: Anderly, Bauman, Camire, Conneely, Emura,

General Public Present: Approximately 8

PUBLIC COMMENT

AGENDA

1. Variance Application No. PL-2003-0103 – Dan and Patsy Greenough (Applicants/ Owners) - Request to Construct an Attached Two-Car Garage to a Single-Family Residence 5 Feet from the Rear Property Line Where a Minimum of 10 Feet is Required – The Project is Located at 513 Ethan Court
2. Preliminary Draft of The Five-Year Capital Improvement Program (Fiscal Years 2003-2004 Through 2007-2008)
3. Zone Change No. PL-2003-0101 – Request to Change the Zone from Office Commercial (CO) to Neighborhood Commercial (CN) - Site Plan Review No. PL - 2002-0565 – Request to Convert an Office Building into a Retail Center - Parking Exception No. PL -2003-0100 – Request to Allow for the Reduction in the Required Number of Parking Stalls –The Project is Located at 24790 Amador Street (Eddy Shen/Ba Le Applicant/Owner)

PUBLIC HEARING

1. Variance Application No. PL-2003-0103 – Dan and Patsy Greenough (Applicants/ Owners) - Request to Construct an Attached Two-Car Garage to a Single-Family Residence 5 Feet from the Rear Property Line Where a Minimum of 10 Feet is Required – The Project is Located at 513 Ethan Court

Associate Planner Camire made the presentation. She described the property and the neighborhood. Staff believes the variance is justified because the lot is irregularly shaped and

located on a cul-de-sac that limits the angle and location of the garage addition. Privacy will be maintained. Petitions and letters have been submitted to support the variance.

Commissioner Halliday said she did not understand the math regarding the amount of increase on the property.

Associate Planner Camire explained that the second floor addition and expanded garage area are included in the calculation. She added that there are no difficulties with the lot line adjustment.

Commissioner McKillop asked about the legal implications of the lot line adjustment.

Deputy Director of Public Works/Engineering Bauman responded that there is either an agreement or a legal turnover.

Commissioner Zermeño asked about the trees on the property as well as the replacements.

The public hearing was opened at 7:39 p.m.

Patsy Greenough, the owner, pointed out that 14 trees exist. One will be removed and they are working with a landscape architect. She feels that there are enough trees in the front yard. She said the amount of space available in the parkway to replace the one tree would create a problem. The tree would either die or push up the sidewalk. She added that all of the neighbors seem to understand the scope of the project.

Chairperson Bogue discussed with her the location of the front door and what it will be like.

Richard Dickson said the Greenough's are excellent neighbors. He was more than willing to move the property line. This project will enhance the neighborhood. He added that he hoped the Commission would agree and approve the project.

The public hearing closed at 7:44 p.m.

Commissioner Halliday thanked the Greenough's for the excellent design for one of our older houses. She commented that the Commission would be talking about development standards and design guidelines for remodeling homes built in the 1950's. She added that the addition will look beautiful. She also appreciated the support from neighbors. She then moved, seconded by Commissioner McKillop, to approve the variance application with the exception of needing to replace the tree in condition 7.

Commissioner Zermeño said he also appreciated the well kept home as well as the congeniality of neighbors. He said this project should be good for the neighborhood.

Commissioner Sacks agreed, and echoed the sentiments. She added that this was an excellent presentation and she appreciated the neighbors for working with them.

Planning Manager Anderly discussed the Tree Ordinance and said that a tree replacement does



not apply to single-family dwellings.

Commissioner Thnay said he also concurred with the comments. He also appreciated the neighborhood support and liked that the Greenough's were refurbishing their home and staying in Hayward. He added that they must be good neighbors, which is commendable.

Commissioner McKillop said she liked the design and would support the motion.

The motion passed unanimously.

2. Preliminary Draft of The Five-Year Capital Improvement Program (Fiscal Years 2003-2004 Through 2007-2008)

Deputy Director of Public Works/Engineering and Transportation Bauman made the presentation. He noted that most of the information was presented in a previous work session. He commented on the various programs within the City of Hayward budget and the enterprise funds and noted the continued improvements to the Airport as well as various infrastructure improvements. He discussed the improvements within the utility system and noted that many of the programs will be funded by grants and enterprise funding.

Commissioner Halliday asked about the \$240,000 for maintenance and demolition of the Festival Cinemas. She then asked whether it needed to be demolished and what would be going into that location.

Deputy Director of Public Works/Engineering and Transportation Bauman explained that the Festival Cinemas funded about \$400,000 as part of their lease termination which will be used for maintenance of the site as well as demolition.

Planning Manager Anderly said they have been getting inquiries from various retailers who are interested in the property.

Commissioner Halliday asked whether there was any interest in reusing the building.

Deputy Director of Public Works/Engineering and Transportation Bauman explained the demolition is necessary for the reuse by new tenants.

The public hearing opened and closed at 7:56 p.m. with no input from the public.

Commissioner Caveglia moved, seconded by Commissioner Zermeño, to find the CIP consistent with City's general plan.

Commissioner Halliday said she would support the motion since the program was consistent with the General Plan, she added that, hopefully there will be funding to continue with all of

the projects. She said she was happy to see safe school routes, bike paths and sidewalks included. She asked whether the sewer plans are approaching the limits of discharge and whether the Planning Commission needs to consider anything special in approving plans for the Industrial Area which might impact needs.

Deputy Director of Public Works/Engineering Bauman explained the efforts being made by staff in dealing with large users. They are now requiring them to have pretreatment on the site. As a result, there is no problem now, and in the future there will be sufficient capacity.

Commissioner Caveglia noted that this is a good CIP budget. He congratulated staff, the City Manager and the City Council for doing a good job. He commented that many other cities are in worse shape than Hayward as a result of poor planning.

Commissioner Bogue agreed adding that this is a well thought out budget.

Commissioner Sacks said she would second these comments. She added that she has been far more aware of the positive changes made in the area since about 1991. She said there are many great positive changes as a result of good careful planning. She indicated that she liked many of the things in this budget adding her complements to staff. She thanked staff for making it very understandable.

The motion passed unanimously.

3. Zone Change No. PL-2003-0101 – Request to Change the Zone from Office Commercial (CO) to Neighborhood Commercial (CN) - Site Plan Review No. PL - 2002-0565 – Request to Convert an Office Building into a Retail Center - Parking Exception No. PL - 2003-0100 – Request to Allow for the Reduction in the Required Number of Parking Stalls –The Project is Located at 24790 Amador Street (Eddy Shen/Ba Le Applicant/Owner)

Associate Planner Emura described the area and the building already on the site. He noted that the applicant is applying for a change in zoning. Although staff tries to encourage high-density residential, the applicant bought the building to open a laundry mat. He commented that rehabilitation of existing locations is supported by the general plan. He then cited various possible uses for the shopping center such as a bakery or coffee shop, which would compliment the existing zoning at the site. The present plan is to convert this building to a retail center. He said that the building is not presently very appealing. The applicant plans to add canopies and pavilions; the roof would be clay tile while the building will be stucco. There would also be more windows added to the front and sides, which would be recessed for visual interest. The City Council Commercial Improvement Committee supports this application and zone change although they would prefer a sit-down type of restaurant and were not satisfied with the color scheme. It was decided that the colors would have to be approved by the Planning Director. He then described the various landscape improvements, noting that at present, the location is very barren. The applicant was also asking for reduction of parking stalls from 62 to 60 stalls. He explained that this could be supported since there is good public transportation in the area and the applicant is adding bike racks to the proposal. He said there were two responses to the public notice. One was the owner next to the property who complained about the flow of traffic and driveways as well as the parking exception. He also suggested moving the trash enclosure toward the rear of



the property, however there is an apartment complex to the rear, as a result, staff agrees to keep it where it is. Staff recommended approval.

Chairperson Bogue asked whether since the colors were not finalized, would they be close to what was shown on the color elevation.

Associate Planner Emura said they are getting closer to what is near-by which will be a softer color palette.

Chairperson Bogue then asked about the rear and side doors.

Associate Planner Emura said they would not be used as the main doors. He noted that the laundry mat facility would have entrance and exit doors, while the other units would face primarily toward the front of the building since there would be no sidewalk on that side of the building.

Commissioner Zermeno discussed the bike racks on the Amador side and asked whether staff would reconsider replacing them on the parking lot side.

Associate Planner Emura said they would look into that and maybe move them more toward the rear of the building.

Commissioner Thnay asked whether the trees would be large canopy trees in order to use part of the area as out-door seating and a focal point of enhancement. Perhaps they could add a concrete pad with benches below the tree.

Associate Planner Emura responded that it might look big on the drawings but the area is really not that big although staff could look at that. He added that it might be too small a location and not safe.

Commissioner Sacks asked again about the doors on the north side of the building. She said she was worried about those because any traffic in the driving area could be dangerous with no sidewalk. There would be no barrier between cars and people. She expressed concern about that aspect. She added that she had worked in the building four years at two different times. As to the seating below the tree, the parking area is misleading for its size.

Commissioner McKillop asked about Mr. Waddell letter and how this was addressed.

Associate Planner Emura said he had talked to him and he does support the conversion but is concerned with the parking lot. He thinks it could be a hazard. Staff required one-way signs on the driveway as a condition of approval. He admitted that re-circulation has trade-offs. Staff believes this design is probably the best to minimize stoppage or blocking of cars. He said he has had several discussions with Mr. Waddell on the subject who said he would not challenge it.

Commissioner Halliday asked whether currently that exit has a no left turn. She asked whether they be permitted with these changes.

Associate Planner Emura said staff would turn it back to the traffic engineer. That was not a consideration when he reviewed it.

Commissioner Halliday said that not allowing a left-turn would make it difficult to get back to Jackson.

Associate Planner Emura said staff would look into it.

Commissioner Zermeño asked about the trees to be removed noted on one of the maps.

Associate Planner Emura said a tree in the new driveway was to be removed.

The public hearing was opened at 8:29 p.m.

Eddie Shen the architect/applicant said he would answer questions.

Chairperson Bogue asked about the bike racks near Amador.

Mr. Shen responded that there might be a little bit of space on Jackson corner, however, with the additional landscaping and handicapped parking, it would make moving them closer to the building tighter. He emphasized that the rear door is mainly for exits since the Uniform Building Code requires them to be left open.

Commissioner Zermeño asked whether there was room for tables outside.

Mr. Shen said it might be possible, however, there were no plans at this point.

Commissioner Halliday suggested that it might be dangerous to use the rear door of the laundry mat, since most customers would usually be carrying things.

Mr. Shen suggested that perhaps he could recess the doors and make an alcove.

The public hearing closed at 8:33 p.m.

Commissioner Sacks moved, seconded by Commissioner Zermeño, the staff recommendation.

Commissioner Sacks added that this is a tremendous improvement for that location. Commercial use is much more sensible than housing. As to the question of reduced parking requirement, she said she had no problem with it since transportation by bus is convenient to the site. She added that traffic flow is going to be a problem and that going on and off of Amador is a concern. However, this is an improvement in the area.

Commissioner Thnay indicated that the project is essentially smart growth. With the bike rack



and near bus stops, losing only two spaces is a good compromise. He said he also would support staff's circulation proposal although the left turn is an issue.

Commissioner McKillop said the commercial designation makes sense with all the housing in the area. She thanked the architect and developer for this improvement to the area.

Commissioner Zermeno agreed that it is a good plan on a very visible corner. This is the completion of that corner and a tremendous improvement.

Commissioner Halliday said it is a great re-use of a building and so nice to see the improvement. She said she would support the motion.

Commissioner Sacks added that although the Economic Development Department leased the building, it never owned it.

Chairperson Bogue expressed concerns about the traffic flow but said he would support the staff recommendation. He added that it is unwise to make a left turn there, and expressed concern about the back doors. He then urged reconsideration for the everyday use of the back doors.

The motion passed unanimously.

ADDITIONAL MATTERS

4. Discussion of Topics to Include on the City of Hayward Web Site.

Since this topic was discussed fully at a previous meeting, there were no further comments.

5. Oral Report on Planning and Zoning Matters

Planning Manager Anderly noted that Mission Garin report would be coming out soon.

6. Commissioners' Announcements, Referrals

Commissioner Caveglia asked about the downtown parking requirements. He said he was noticing a traffic jam around Wiener Schnitzel, and asked whether there was enough parking.

Planning Manager Anderly said the requirement for downtown is a lesser number of parking spaces. It is a popular place. She added that looking at the site it looks like a lot of spaces, but it really is not.

Commissioner Halliday discussed weeds and debris across from the Jackson square shopping center. She then said she had just completed training by the Fire department for the Emergency Response Team. She discussed the training calling it a fantastic experience. She said anyone

interested should call the Fire Department.

APPROVAL OF MINUTES

- April 24, 2003 APPROVED

ADJOURNMENT

The meeting was adjourned by Chairperson Bogue at 8:47 p.m.

APPROVED:

Barbara Sacks, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary